

A circular black and white stamp. The text "OIPE" is at the top, "JCS" is on the right, and "PATENT & TRADEMARK OFFICE" is at the bottom. In the center, the date "SEP 25 2000" is stamped.

Attorney Docket No. **AUS000123US1**

BRUCE A. BEADLE, ET AL.

Serial No.: 09/584,808

Filed: 31 MAY 2000

**For: DYNAMICALLY AFFECTING
BROWSER NETWORK
COMMUNICATIONS
PERFORMANCE**

Examiner:

Art Unit:

PETITION IN RESPONSE TO NOTICE OF OMITTED ITEMS
IN A NONPROVISIONAL APPLICATION UNDER 37 CFR 1.53(B)

Attention: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In regards to the Notice of Omitted Items dated August 1, 2000, Applicant submits the following response.

CERTIFICATE OF MAILING

37 CFR 1.8(A)

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as First Class Mail in an envelope with sufficient postage addressed to Assistant Commissioner for Patents, Washington, D. C. 20231.

9/19/2000

Date _____

Nelma Miller

Signature



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATE PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Eustace Prince Isidore is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Felsman, Bradley, Vaden, Gunter & Dillon, LLP to prepare and prosecute patent applications wherein the patent applicant is the client of Felsman, Bradley, Vaden, Gunter & Dillon, LLP and the attorney or agent of record in the applications is a registered practitioner who is a member of Felsman, Bradley, Vaden, Gunter & Dillon, LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Eustace Prince Isidore ceases to lawfully reside in the United States, (ii) Eustace Prince Isidore's employment with Felsman, Bradley, Vaden, Gunter & Dillon, LLP ceases or is terminated, or (iii) Eustace Prince Isidore ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: December 15, 2000

Harry Moatz, Acting Director
Office of Enrollment and Discipline



8/7

FORMALITY LETTER



OC00000005285272

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/584,808	05/31/2000	Bruce A. Beadle	AUS000123US1

Andrew J Dillon
Felsman Bradley Vaden Gunter & Dillon LLP
Suite 350 Lakewood on the Park
7600B North Capital of Texas Highway
Austin, TX 78731

Date Mailed: 08/01/2000

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **6a,6b** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

N. FISHA
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE